

Administrative Law

Legal Specialty Course Information Sheet

Course Information

Organization	Madison Area Technical College
Developers	Anne W. Schacherl
Development Date	5/25/2004
Revised Date	1/19/2009
Course Number	10-110-115
Instructional Level	Two-Year Paralegal Associate Degree Two-Semester Paralegal Post-Baccalaureate Certificate
Potential Hours of Instruction	54
Total Credits	3

Course Description

The Administrative Law course covers the legal concepts and issues related to Administrative Law. These include the sources of Administrative Law, agency creation, agency authority, formal and informal agency action and the process for adjudication and appeal of Administrative Law cases. Both Federal and State of Wisconsin Administrative Law is covered. Prerequisite(s): 110-101 Introduction to Paralegalism & Legal Ethics.

Target Population

Restricted to students admitted to the Paralegal program.

Types of Instruction

Instruction Type	Contact Hours	Credits
Classroom Presentation	54	3

Required Text & Other Materials

Practical Administrative Law for Paralegals; by Anne M. Cohen; West Legal Studies/Delmar Learning. There are also class handouts covering various State of Wisconsin administrative laws and processes provided by the instructor.

Instructional Methods

This course is taught based on lecture, small group discussions and problem solving, research and writing problems, and written examinations.

Methods of Evaluation of Student Performance

Students take 3 unit examinations, each worth 100 points and complete 3 practical projects, each worth 50 points.

Practical Assignments that Develop Paralegal Competencies

Students complete three projects. The projects consist of researching and obtaining various State and Federal Administrative Laws, researching and explaining aspects of the Wisconsin rulemaking process, attending a Public Hearing on a proposed rule and providing a description of the experience. Students locate examples for each of the three typical rules classifications, and research and draft an Appeal to the Wisconsin Appeals Commission in a personal liability tax assessment case.

Course Objectives

1. Describe the relationship of government agencies and administrative law within the American legal system.
2. Explain the sources of administrative law and its Constitutional and other limitations.
3. Distinguish between formal and informal agency rulemaking processes, including their distinctive timetables and notice requirements.
4. Acquire documents under the Freedom of Information Act, and shield other documents under the Privacy Act, as well as understand the rights and responsibilities associated with those laws.
5. Identify the sequence and significance of the various components of an administrative action.
6. Explain how judicial review of an administrative decision is obtained.
7. Review and analyze the rules and procedures of Various Federal and State agencies.
8. Examine and utilize Wisconsin's tax assessment appeals statutes and regulations.
9. Prepare the documents and other paperwork necessary to commence an appeal of a personal liability assessment before the Wisconsin Tax Appeals Commission.

Course Content with Time Allocation

Unit 1 – Criteria - Unit 1: Related Course Objective #1 (“Describe the relationship of government agencies and administrative law within the American legal system”) **9 hours**

Define Administrative Law and Agencies	1 hour
Discuss types of agencies and what agencies do (Executive, Legislature, and Judicial)	1.5 hrs
Identify the importance of understanding Agency Law and processes	1 hour
Discuss general process for creating laws (State & Federal)	1.5 hrs
Identify enabling statutes and administrative process statutes	1 hour
Instruction on how and where to locate administrative statutes, regulations and rules, and case law	3 hours

Unit 2 – Criteria – Unit 2: Related Course Objective #2 (“Explain the sources of administrative law and its Constitutional and other limitations”) **6 hours**

Identify and discuss how Congress or Legislature delegates authority to Executive Branch Agencies	3 hours
Identify and discuss the limitations placed on agency authority by the Congress or the Legislature, the Executive Branch, the Courts, and the public	3 hours

Unit 3 – Criteria – Unit 3: Related Course Objective #2 (“Explain the sources of administrative law and its Constitutional and other limitations”) 6 hours

Define “Due Process of Law”

Identify and discuss the importance of due process in Administrative proceedings 1.5 hrs

Identify and discuss how much process is due 1.5 hrs

Unit 1 – 3 examination, open book problem and essay examination 3 hours

Unit 4 – Criteria – Unit 4: Related Course Objectives #3 (“Distinguish between formal and informal agency rulemaking processes, including their distinctive timetables and notice requirements”) and #7 (“Review and analyze the rules and procedures of various Federal and State agencies”) 6 hours

Discuss Agency Action in general 1.5 hrs

Explain Informal Agency Action 1.5 hrs

Explain Formal Agency Action (the rulemaking process both informal and formal) 3 hours

Unit 5 – Criteria – Unit 5: Related Course Objectives #4 (“Acquire documents under the Freedom of Information Act, and shield other documents under the Privacy Act, as well as understand the rights and responsibilities associated with those laws”) and #5 (“Identify the sequence and significance of the various components of an administrative action”) 9 hours

Discuss Agency acquisition of information 3 hours

Discuss Agency disclosure of information 3 hours

Examination 2 (can be a take home); (units 4 and 5) open book essay and problems examination 3 hours

Unit 6 – Criteria – Unit 6: Related Course Objectives #6 (“Secure judicial review of an administrative decision”) and #8 (“Examine and utilize Wisconsin’s tax assessment appeals statutes and regulations”) 6 hours

Discuss Adjudication of Agency Action 3 hours

Introduce Appeal of Agency Action within the Agency 3 hours

Unit 7 – Criteria – Unit 7: Related Course Objectives #6 (“Secure judicial review of an administrative decision”) and #9 (“Prepare the documents and other paperwork necessary to litigate Personal Liability case before the Wisconsin Tax Appeals Commission”) 12 hours

Discuss Appeal of Agency Action 2 hours

Introduce Judicial Review 1 hour

Discuss Prerequisites for Judicial Review 1 hour

Discuss what is reviewable	3 hours
Explain the Appeal procedures	2 hours
Final examination Units 6 and 7, in-class essay and problem examination	3 hours